

extension of time but would not consent to the 30-day extension requested herein for the reason that it believes its claims are too urgent for a 30-day extension.

Good cause exists for the requested extension. Defendant needs sufficient time to evaluate whether it must raise Rule 12 defenses by motion and if so, to prepare such a motion and suggestions in support thereof. If not, Defendant needs sufficient time to review the numerous factual allegations, exhibits and legal claims set forth in or attached to the complaint, and to prepare and finalize its answer to those allegations. In order to do so, Defendant requires a thirty-day extension of the responsive pleading deadline. Affording Defendant sufficient time to prepare its motion and/or answer would serve the interests of justice. The requested extension is not sought to delay the litigation and would not prejudice any party.

WHEREFORE, Defendant respectfully prays that the Court enter its Order extending the time within which Defendant may file its answer or otherwise plead in response to the Complaint up to and including June 18, 2007.

Defendant's deadline for responding to the Complaint is hereby extended to June 8, 2007. Motion at #6 on the docket is terminated.

Respectfully submitted,

KIRKPATRICK & LOCKHART PRESTON
GATES ELLIS LLP

/s/ Kathy Dutton Helmer
One Newark Center
Newark, New Jersey 07102
Telephone: (973) 848-4000
Facsimile: (973) 848-4001
E-Mail: alarocco@klng.com
khelmer@klng.com

ATTORNEYS FOR DEFENDANT

APPLICATION GRANTED

Stephen C. Robinson
HON. STEPHEN C. ROBINSON 5/22/07